THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9691 of 2007

Dated: 01-05-2007

Between:

T. Allabaksh.

..... PETITIONERS

AND

The Collector (Revenue), Anantapur, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9691 of 2007

ORDER:

The petitioner was assigned land admeasuring Ac.0.40 in survey No.1771/3 and Acs.2.27 in survey No.1771/4 situated at Kadiri Revenue Village, Kadiri Mandal, Anantapur District, for growing ayurvedic medicine plants. He also obtained pattadar passbook/title deed bearing patta No.704. Be that as it is when one M. Thulasamma and others tried to interfere with his (petitioner's) possession, the petitioner filed O.S.No.168 of 2007 on the file of the Principal Junior Civil Judge, Kadiri, for permanent injunction. He also filed I.A.No.505 of 2007 for *ad interim* injunction, which was granted by the trial Court on 24.03.2007 and the same was

made absolute on 09.04.2007. But still the petitioner alleges that on 23.04.2007, second respondent, namely, the Tahsildar/Mandal Revenue Officer, summoned the petitioner to the office and also directed him to vacate the land. Again on 27.04.2007 the subordinates of second respondent allegedly visited the subject land and made markings. Apprehending that he might be dispossessed from the land, the petitioner filed instant writ petition.

After hearing the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General-A), this Court is convinced that the writ petition is misconceived. The petitioner has already filed a suit in the civil Court for permanent injunction and nothing prevents him to bring it to the notice of second respondent about the injunction granted by the civil Court. Without doing so, the petitioner approached this Court and therefore, this Court is not inclined to interfere in the matter. The petitioner may move an application before the civil Court for relief against second respondent as well.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

01st May, 2007
ghn